

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

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II. Remarks

Reconsideration of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 2-9 remain pending.

Further Claim Clarifications

Prior to discussing the rejections and the references, it is believed that a brief discussion on the current form of the independent claims of this application is warranted.

Claim 2 recites an automatic control system having two adjusting action members, a vertical adjusting action member and a horizontal adjusting action member. Additionally, the claims recite that the vertical adjusting action member (of which there is only one in the claims) is coupled to both the low beam light chamber and the high beam light chamber. As a result, upon movement of the vertical adjusting action member, the low beam light chamber and the high beam light chamber are both vertically adjusted via the vertical adjusting action member.

Claim 6 parallels claim 2 in that the method of claim 6 requires the vertical adjusting action member (of which there is only one) to be coupled to both the low beam light chamber and the high beam light chamber so as to effectuate concurrent vertical movement of both the low beam light chamber and the high beam light chamber.

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Claim Rejections - 35 U.S.C. §102(e)

Claims 2 and 3 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,481,865 to Woerner et al. ("Woerner"). Applicant respectfully traverses this rejection.

As noted above, claim 2 recites only one vertical adjusting action member and requires that it be coupled to both the high beam light chamber and the low beam light chamber. This is not present in Woerner. As seen in Figure 1 of Woerner, the light assembly 10 includes three separate light chambers, designated at 12, 14 and 16. In Figure 2, an actuating member 29 is provided to vertically adjust the high beam light chamber. The actuator 29 causes the reflector 20 to pivot about pivot access 26. In order to cause vertical movement of the low beam chamber 14, a separate and distinct adjusting element 44 is provided. In that Woerner utilizes two actuators for vertical movement, one actuator 29 for the high beam chamber and a second actuator 44 for the low beam chamber 14, it is respectfully submitted that Woerner fails to anticipate the claims of the present application. In short, Woerner fails to disclose a single vertical adjusting member that is coupled to both the low beam light chamber and to the high beam light chamber.

In view of the above, it is respectfully submitted that claims 2 and 3 are patentably distinct over the Woerner reference. Withdrawal of the above rejection is therefore respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Woerner.

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Since Woerner fails to disclose limitations found in independent claim 2, from which claims 4 and 5 either directly or indirectly depend, it is respectfully submitted that these claims are similarly allowable for at least the same reasons. Such action is respectfully requested.

Claims 6-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Woerner. Applicant respectfully traverses this rejection.

Claim 6 currently recites that both the low beam light and the high beam light chambers are concurrently vertically adjustable by a common vertical adjusting action member (by nature of the language in this claim, only one vertical adjusting action member is recited in this claim). In Woerner, the low and high beam light chambers are vertically adjustable, but this is not achieved by a common vertical adjusting action member. As seen in Figures 2 and 4 of Woerner, two actuators 29 and 44 are required to adjust the light chambers.

In that Woerner fails to disclose the high beam and low beam light chambers being concurrently vertically adjusted by a single, common vertical adjusting action member, it is respectfully submitted that all of the limitations of claim 6 are neither disclosed nor suggested by the Woerner reference. The claim is therefore patentably distinct over this reference.

Since claims 7-9 depend either directly or indirectly from claim 6, it is submitted that these claims are also allowable at least for the same reasons. Such action is respectfully requested.

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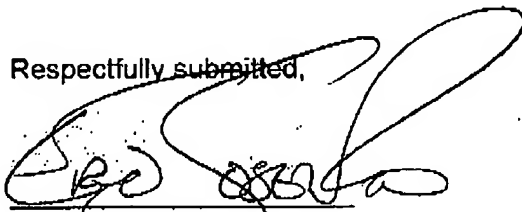
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Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,


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